

By S.J.R. No. 13

A JOINT RESOLUTION

1 proposing a constitutional amendment to add the Texas State
2 Technical College System to certain constitutionally dedicated
3 funding for public institutions of higher education.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article VII, Section 17(b), of the Texas
6 Constitution is amended to read as follows:

7 (b) The funds appropriated under Subsection (a) of this
8 section shall be for the use of the following eligible agencies and
9 institutions of higher education (even though their names may be
10 changed):

11 (1) East Texas State University including East Texas
12 State University at Texarkana;

13 (2) Lamar University including Lamar University at
14 Orange and Lamar University at Port Arthur;

15 (3) Midwestern State University;

16 (4) North Texas State University;

17 (5) Pan American University including Pan American
18 University at Brownsville;

19 (6) Stephen F. Austin State University;

20 (7) Texas College of Osteopathic Medicine;

21 (8) Texas State University System Administration and
22 the following component institutions:

23 (9) Angelo State University;

24 (10) Sam Houston State University;

1 (11) Southwest Texas State University;
 2 (12) Sul Ross State University including Uvalde
 3 Study Center;
 4 (13) Texas Southern University;
 5 (14) Texas Tech University;
 6 (15) Texas Tech University Health Sciences Center;
 7 (16) Texas Woman's University;
 8 (17) University of Houston System Administration and
 9 the following component institutions:
 10 (18) University of Houston[~~--University-Park~~];
 11 (19) University of Houston--Victoria;
 12 (20) University of Houston--Clear Lake;
 13 (21) University of Houston--Downtown;
 14 (22) [~~University--System---of---South---Texas---System~~
 15 ~~Administration-and-the-following-component-institutions:~~
 16 [+23+] Corpus Christi State University;
 17 (23) [+24+] Laredo State University;
 18 (24) [+25+] Texas A&I University; [and]
 19 (25) [+26+] West Texas State University; and
 20 (26) Texas State Technical College System, including
 21 its campuses and extension centers.

22 SECTION 2. The following temporary provision is added to the
 23 Texas Constitution:

24 TEMPORARY PROVISION. (a) This temporary provision applies
 25 to the constitutional amendment proposed by the 73rd Legislature,
 26 Regular Session, 1993, relating to adding the Texas State Technical
 27 College System to certain constitutionally dedicated funding of

By: Lucio

S.J.R. No. 13

(In the Senate - Filed February 9, 1993; February 10, 1993, read first time and referred to Committee on Education; April 1, 1993, reported adversely, with favorable Committee Substitute by the following vote: Yeas 11, Nays 0; April 1, 1993, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	PNV	Absent
Ratliff	x			
Haley	x			
Barrientos	x			
Bivins	x			
Harris of Tarrant	x			
Luna	x			
Montford	x			
Shapiro	x			
Sibley	x			
Turner	x			
Zaffirini	x			

COMMITTEE SUBSTITUTE FOR S.J.R. No. 13

By: Sibley

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VII, Section 17(a), of the Texas Constitution is amended to read as follows:

(a) For each fiscal year beginning with the fiscal year that begins on September 1, 1995, \$200 million is ~~[in--the--fiscal--year beginning--September--1,--1985,--and--each--fiscal--year--thereafter,--there is--hereby]~~ appropriated out of the first money coming into the state treasury not otherwise appropriated by the constitution ~~[\$100 million]~~ to be used by eligible agencies and institutions of higher education for the purpose of acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, major repair or rehabilitation of buildings or other permanent improvements, ~~[and]~~ acquisition of capital equipment, library books and library materials, and paying for buildings or facilities used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities. For the five-year period that begins on September 1, 2000, and for each five-year period that begins after that period, the legislature, during a ~~[During--the]~~ regular session ~~[of--the--legislature]~~ that is nearest, but preceding, a five-year period, ~~[the--beginning--of--each fifth--fiscal--year--dating--from--September--1,--1985,--the--legislature]~~ may by two-thirds vote of the membership of each house increase ~~[adjust]~~ the amount of the constitutional appropriation for the ~~[ensuing]~~ five-year period ~~[years]~~ but may not adjust the appropriation in such a way as to impair any obligation created by the issuance of bonds or notes in accordance with this section.

SECTION 2. Article VII, Section 17(b), of the Texas Constitution is amended to read as follows:

(b) The funds appropriated under Subsection (a) of this section shall be for the use of the following eligible agencies and institutions of higher education (even though their names may be changed):

- (1) East Texas State University including East Texas State University at Texarkana;
- (2) Lamar University including Lamar University at Orange and Lamar University at Port Arthur;
- (3) Midwestern State University;
- (4) University of North Texas ~~[State-University]~~;
- (5) ~~The~~ University of Texas--Pan American ~~[University]~~ including ~~The~~ ~~[Pan-American]~~ University of Texas at Brownsville;

(6) Stephen F. Austin State University;
 (7) Texas College of Osteopathic Medicine;
 (8) Texas State University System Administration and
 the following component institutions:
 (9) Angelo State University;
 (10) Sam Houston State University;
 (11) Southwest Texas State University;
 (12) Sul Ross State University including Uvalde Study
 Center;
 (13) Texas Southern University;
 (14) Texas Tech University;
 (15) Texas Tech University Health Sciences Center;
 (16) Texas Woman's University;
 (17) University of Houston System Administration and
 the following component institutions:
 (18) University of Houston[~~--University-Park~~];
 (19) University of Houston--Victoria;
 (20) University of Houston--Clear Lake;
 (21) University of Houston--Downtown;
 (22) Texas A&M University--Corpus Christi; [~~University~~
~~System--of--South--Texas--System--Administration--and--the--following~~
~~component-institutions--]~~
 (23) Texas A&M International [~~Corpus--Christi--State~~
 University];
 (24) [~~Laredo-State-University~~;
 [~~+25~~] Texas A&M [~~A&F~~] University--Kingsville; [~~and~~
 (25) [~~+26~~] West Texas A&M [~~State~~] University; and
 (26) Texas State Technical College System and its
Waco, Amarillo, Harlingen, and Sweetwater campuses, but not its
extension centers or programs.

SECTION 3. Article VII, Sections 17(e), (f), and (g), of the Texas Constitution are amended to read as follows:

(e) Each governing board authorized to participate in the distribution of money under this section is authorized to expend all money distributed to it for any of the purposes enumerated in Subsection (a). In addition, [~~unless-a-single--bonding--agency--is designated-as-hereinafter-provided~~], such governing board may issue bonds and notes for the purposes of refunding bonds or notes issued under this section or prior law, acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, acquiring capital equipment, library books, and library materials, and for major repair and rehabilitation of buildings or other permanent improvements, and may pledge up to 50 percent of the money allocated to such governing board pursuant to this section to secure the payment of the principal and interest of such bonds or notes. Proceeds from the issuance of bonds or notes under this subsection shall be maintained in a local depository selected by the governing board issuing the bonds or notes. The bonds and notes issued under this subsection shall be payable solely out of the money appropriated by this section and shall mature serially or otherwise in not more than 10 years from their respective dates. All bonds issued under this section shall be sold only through competitive bidding and are subject to approval by the attorney general. Bonds approved by the attorney general shall be incontestable. The permanent university fund may be invested in the bonds and notes issued under this section. [~~In--lieu--of--the authority--granted--to--each-governing-board--herein,--the--legislature by-general-law-may-designate-a-single-agency--to--issue--bonds--and notes-authorized-under-this-section-and-transfer-to-that-agency-the authority--to--collect-and-pledge-money-to-the-payment-of-such-bonds and-notes-for-the-purposes,--to--the--extent,--and--subject--to--the restrictions--of--this-section,--Provided,--that--such-agency--shall--be authorized-to-issue-such-bonds-and-notes--for--the--benefit--of--an eligible--institution--and-pledge-money-collected-hereunder-only-as directed-by-the-governing-board-of-each-eligible-institution.~~]

(f) The funds appropriated by this section may not be used for the purpose of constructing, equipping, repairing, or rehabilitating buildings or other permanent improvements that are to be used only for student housing, intercollegiate athletics, or

auxiliary enterprises.

(g) ~~The [Except-for-that-portion-of-the-allocated-funds-that may-be-required-to-be-transferred-to-a-single--bonding--agency,--if one--is--created,--the]~~ comptroller of public accounts shall make annual transfers of the funds allocated pursuant to Subsection (d) directly to the governing boards of the eligible institutions.

SECTION 4. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by S.J.R. No. 13, 73rd Legislature, Regular Session, 1993, and expires September 2, 1995.

(b) Section 2 of the constitutional amendment takes effect September 1, 1995.

SECTION 5. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 1993. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education."

* * * * *

Austin, Texas
April 1, 1993

Hon. Bob Bullock
President of the Senate

Sir:

We, your Committee on Education to which was referred S.J.R. No. 13, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

Ratliff, Chairman

* * * * *

WITNESSES

FOR AGAINST ON

Name: Gilbert Leal
Representing: Tx State Technical College
City: Harlingen

x

Name: James A. Bird
Representing: TSTC
City: Waco

x

Name: Ron DeSpain
Representing: TSTC
City: Amarillo

x

**FAVORABLY AS SUBSTITUTED
SENATE COMMITTEE REPORT ON**

SB SCR SJR SR HB HCR HJR 13

By Lucio
(Author/Senate Sponsor)
April 1, 1993
(date)

We, your Committee on EDUCATION, to which was referred the attached measure, have on 4/1/93, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed
☐ the caption remained the same as original measure
☐ the caption changed with adoption of the substitute
☐ do pass as substituted, and be ordered not printed
☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no
A revised fiscal note was requested. ☒ yes ☐ no
An actuarial analysis was requested. ☐ yes ☒ no
Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Ratliff, Chair	<input checked="" type="checkbox"/>			
Senator Haley, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Bivins	<input checked="" type="checkbox"/>			
Senator Harris, C.	<input checked="" type="checkbox"/>			
Senator Luna	<input checked="" type="checkbox"/>			
Senator Montford	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Senator Shapiro	<input checked="" type="checkbox"/>			
Senator Sibley	<input checked="" type="checkbox"/>			
Senator Turner	<input checked="" type="checkbox"/>			
Senator Zaffirini	<input checked="" type="checkbox"/>			
TOTAL VOTES	10		1	

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

Patricia Phelps
COMMITTEE CLERK

Ratliff
CHAIRMAN

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

March 19, 1993

TO: Honorable Bill Ratliff, Chair
Committee on Education
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution
No. 13
By: Lucio

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 13 (proposing a constitutional amendment to add the Texas State Technical College System to certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution would propose a constitutional amendment to add the Texas State Technical College System (TSTC) to the list of institutions of higher education eligible to receive capital funding from the annual \$100 million per year constitutional appropriation to certain institutions of higher education beginning on September 1, 1995.

The constitutional amendment would be submitted to the voters at an election to be held on November 2, 1993.

Currently TSTC receives funding for its capital needs from the General Revenue Fund through a line-item appropriation.

The \$100 million per year allocation from the General Revenue Fund is distributed to eligible institutions based on a formula that considers relative needs. If the constitutional amendment is passed by the voters, the Legislature could appropriate the funds for TSTC's capital needs beginning in fiscal 1996 in lieu of additional general revenue.

The probable savings from implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Fiscal Year	Probable Savings to the General Revenue Fund
1994	0
1995	0
1996	\$1,600,000
1997	1,600,000
1998	1,600,000

Similar annual savings would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board, Comptroller of Public Accounts;
LBB Staff: JO, JWH, EC, WRR, JOL

By: Lucio R. Carrillo
Carriker, S. J. R. No. 13
Substitute the following for S.J.R. No. 13.2

S.J.R. No. 13

By: [Signature] C.S.S.J.R. No. 10

SENATE
A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the amount and
2 expenditure of certain constitutionally dedicated funding for
3 public institutions of higher education.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Insert S. J. R. # 1

5 SECTION 1. ~~Article VII, Section 17(a), of the Texas~~
6 Constitution is amended to read as follows:

7 (a) For each fiscal year beginning with the fiscal year that
8 begins on September 1, 1995, \$200 million is [in the fiscal year
9 beginning September 1, 1985, and each fiscal year thereafter, there
10 is hereby] appropriated out of the first money coming into the
11 state treasury not otherwise appropriated by the constitution [\$100
12 million] to be used by eligible agencies and institutions of higher
13 education for the purpose of acquiring land either with or without
14 permanent improvements, constructing and equipping buildings or
15 other permanent improvements, major repair or rehabilitation of
16 buildings or other permanent improvements, [and] acquisition of
17 capital equipment, library books and library materials, and paying
18 for buildings or facilities used jointly for educational and
19 general activities and for auxiliary enterprises to the extent of
20 their use for educational and general activities. For the
21 five-year period that begins on September 1, 2000, and for each
22 five-year period that begins after that period, the legislature,
23 during a [During the] regular session [of the legislature] that is
24 nearest, but preceding, a five-year period, [the beginning of each

~~fifth-fiscal-year-dating-from-September-17-1985--the--legislature]~~
may by two-thirds vote of the membership of each house increase
[~~adjust~~] the amount of the constitutional appropriation for the
[~~ensuing~~] five-year period [years] but may not adjust the
appropriation in such a way as to impair any obligation created by
~~the issuance of bonds or notes in accordance with this section.~~

SECTION 2. Article VII, Section 17(b), of the Texas
Constitution is amended to read as follows:

(b) The funds appropriated under Subsection (a) of this
section shall be for the use of the following eligible agencies and
institutions of higher education (even though their names may be
changed):

(1) East Texas State University including East Texas
State University at Texarkana;

(2) Lamar University including Lamar University at
Orange and Lamar University at Port Arthur;

(3) Midwestern State University;

(4) University of North Texas [State-University];

(5) The University of Texas--Pan American [University]
including The [Pan-American] University of Texas at Brownsville;

(6) Stephen F. Austin State University;

(7) Texas College of Osteopathic Medicine;

(8) Texas State University System Administration and
the following component institutions:

(9) Angelo State University;

(10) Sam Houston State University;

(11) Southwest Texas State University;

(12) Sul Ross State University including Uvalde
Study Center;

(13) Texas Southern University;

(14) Texas Tech University;

(15) Texas Tech University Health Sciences Center;

(16) Texas Woman's University;

(17) University of Houston System Administration and
the following component institutions:

(18) University of Houston[--University-Park];

(19) University of Houston--Victoria;

(20) University of Houston--Clear Lake;

(21) University of Houston--Downtown;

(22) Texas A&M University--Corpus Christi; [University
System--of--South--Texas--System--Administration--and--the--following
component-institutions-]

← (23) Texas A&M International [Corpus--Christi
State] University;

← (24) [Laredo-State-University];

← [+25+] Texas A&M [A&F] University--Kingsville;
[and]

(25) [+26+] West Texas A&M [State] University; and

(26) Texas State Technical College System and its
Waco, Amarillo, Harlingen, and Sweetwater campuses, but not its
extension centers or programs.

SECTION 3. Article VII, Sections 17(e), (f), and (g), of the
Texas Constitution are amended to read as follows: 1 3/4

(e) Each governing board authorized to participate in the

1 distribution of money under this section is authorized to expend
2 all money distributed to it for any of the purposes enumerated in
3 Subsection (a). In addition, [~~unless a single--bonding--agency--is~~
4 ~~designated as hereinafter provided~~7] such governing board may issue
5 bonds and notes for the purposes of refunding bonds or notes issued
6 under this section or prior law, acquiring land either with or
7 without permanent improvements, constructing and equipping
8 buildings or other permanent improvements, acquiring capital
9 equipment, library books, and library materials, and for major
10 repair and rehabilitation of buildings or other permanent
11 improvements, and may pledge up to 50 percent of the money
12 allocated to such governing board pursuant to this section to
13 secure the payment of the principal and interest of such bonds or
14 notes. Proceeds from the issuance of bonds or notes under this
15 subsection shall be maintained in a local depository selected by
16 the governing board issuing the bonds or notes. The bonds and
17 notes issued under this subsection shall be payable solely out of
18 the money appropriated by this section and shall mature serially or
19 otherwise in not more than 10 years from their respective dates.
20 All bonds issued under this section shall be sold only through
21 competitive bidding and are subject to approval by the attorney
22 general. Bonds approved by the attorney general shall be
23 incontestable. The permanent university fund may be invested in
24 the bonds and notes issued under this section. [~~In--lieu--of--the~~ 2/3
25 ~~authority--granted--to each governing board herein, the legislature~~
26 ~~by general law may designate a single agency--to--issue--bonds--and~~
27 ~~notes authorized under this section and transfer to that agency the~~

1 authority--to-collect-and-pledge-money-to-the-payment-of-such-bonds
2 and-notes-for-the-purposes,-to--the--extent,-and--subject--to--the
3 restrictions--of-this-section.--Provided,-that-such-agency-shall-be
4 authorized-to-issue-such-bonds-and-notes--for--the--benefit--of--an
5 eligible--institution--and-pledge-money-collected-hereunder-only-as
6 directed-by-the-governing-board-of-each-eligible-institution.]

7 (f) The funds appropriated by this section may not be used
8 for the purpose of constructing, equipping, repairing, or
9 rehabilitating buildings or other permanent improvements that are
10 to be used only for student housing, intercollegiate athletics, or
11 auxiliary enterprises.

12 (g) The [Except-for-that-portion-of-the-allocated-funds-that
13 may-be-required-to-be-transferred-to-a-single--bonding--agency,-if
14 one--is--created,-the] comptroller of public accounts shall make
15 annual transfers of the funds allocated pursuant to Subsection (d)
16 directly to the governing boards of the eligible institutions.

17 SECTION 4. The following temporary provision is added to the
18 Texas Constitution:

19 TEMPORARY PROVISION. (a) This temporary provision applies
20 to the constitutional amendment proposed by S.J.R. No. 13, 73rd
21 Legislature, Regular Session, 1993, and expires September 2, 1995.

22 (b) Section 2 of the constitutional amendment takes effect ⁵/₆
23 September 1, 1995.

24 SECTION 5. This proposed constitutional amendment shall be
25 submitted to the voters at an election to be held November 2, 1993.
26 The ballot shall be printed to provide for voting for or against
27 the proposition: "The constitutional amendment relating to the

ADOPTED

APR 15 1993

Little King
Secretary of the Senate

CB

FLOOR AMENDMENT NO. 1 to C.S.S.J.R. No. 13

By Montford

Amend C.S.S.J.R. No. 13 as follows:

Delete SECTION 1 of the committee substitute, at page 1, lines 26-51 of the committee report printing, and insert the following:

SECTION 1. Article VII, Section 17(a), of the Texas Constitution is amended to read as follows:

(a) In the fiscal year beginning September 1, 1985, and each fiscal year thereafter, there is hereby appropriated out of the first money coming into the state treasury not otherwise appropriated by the constitution \$100 million to be used by eligible agencies and institutions of higher education for the purpose of acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, major repair or rehabilitation of buildings or other permanent improvements, ~~and~~ acquisition of capital equipment, library books and library materials, and paying for buildings or facilities used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities. For the five-year period that begins on September 1, 2000, and for each five-year period that begins after that period, the legislature, during a [During the] regular session [of the legislature] that is nearest, but preceding, a five-year period, [the beginning of each fifth fiscal year dating from September 1, 1985, the legislature] may by two-

*Replaced
by Conference
Report¹*

*Floor Am. #1
4-15-93*

thirds vote of the membership of each house increase [adjust] the
amount of the constitutional appropriation for the ^{five-year period} [ensuing] ~~five~~
~~year period~~ [years] but may not adjust the appropriation in such a
way as to impair any obligation created by the issuance of bonds or
notes in accordance with this section.

Floor
AMENDMENT NO. 2

BY Lucio

Amend C.S.S.J.R. No. 13 in SECTION 2, in Subdivision (26),
Article VII, Section 17(b), of the Texas Constitution (page 2, line³
²³
29), by striking "Waco, Amarillo, Harlingen, and Sweetwater".

ADOPTED

APR 15 1993

Butterfield
Secretary of the Senate

Floor Am. # 2
4-15-93

AMEND THE CAPTION TO CONFORM
TO THE BODY OF THE BILL

ADOPTED

APR 15 1993

Butterfield King
Secretary of the Senate

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

73rd Regular Session

April 2, 1993

**TO: Honorable Bill Ratliff, Chair
Committee on Education
Senate Chamber
Austin, Texas**

**IN RE: Committee Substitute for
Senate Joint Resolution No. 13**

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute Senate Joint Resolution No. 13 (proposing a constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The resolution would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution proposes a constitutional amendment that would, if adopted by the voters in a November 2, 1993 election, add Texas State Technical College System and its Waco, Amarillo, Harlingen, and Sweetwater campuses, but not its extension centers or programs, to the Higher Education Assistance Funds. The resolution would increase the fund beginning September 1, 1995 to \$200 million per year, an increase of \$100 million per year over the current level, and would increase the number of institutions eligible to share in the fund.

Similar annual costs of \$100 million would continue as long as the amendment is part of the constitution.

No fiscal implication to units of local government is anticipated.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board;
LBB Staff: JO, JWH, EC, WRR, JOL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

March 19, 1993

TO: Honorable Bill Ratliff, Chair
Committee on Education
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution
No. 13
By: Lucio

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 13 (proposing a constitutional amendment to add the Texas State Technical College System to certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution would propose a constitutional amendment to add the Texas State Technical College System (TSTC) to the list of institutions of higher education eligible to receive capital funding from the annual \$100 million per year constitutional appropriation to certain institutions of higher education beginning on September 1, 1995.

The constitutional amendment would be submitted to the voters at an election to be held on November 2, 1993.

Currently TSTC receives funding for its capital needs from the General Revenue Fund through a line-item appropriation.

The \$100 million per year allocation from the General Revenue Fund is distributed to eligible institutions based on a formula that considers relative needs. If the constitutional amendment is passed by the voters, the Legislature could appropriate the funds for TSTC's capital needs beginning in fiscal 1996 in lieu of additional general revenue.

The probable savings from implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Fiscal Year	Probable Savings to the General Revenue Fund
1994	0
1995	0
1996	\$1,600,000
1997	1,600,000
1998	1,600,000

Similar annual savings would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board, Comptroller of Public Accounts;
LBB Staff: JO, JWH, EC, WRR, JOL

April 15 1993 Engrossed
Patsy Law
Engrossing Clerk

I certify that the attached is a true and correct
copy of SJR 13, which was
received from the Senate on 4-19-93 and
referred to the Committee on Appropriations

Betty Manning
Chief Clerk of the House

By Lucio, Ratliff, Bivins
Carraker, Sibley

S.J.R. No. 13

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment relating to the amount and
2 expenditure of certain constitutionally dedicated funding for
3 public institutions of higher education.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article VII, Section 17(a), of the Texas
6 Constitution is amended to read as follows:

7 (a) In the fiscal year beginning September 1, 1985, and each
8 fiscal year thereafter, there is hereby appropriated out of the
9 first money coming into the state treasury not otherwise
10 appropriated by the constitution \$100 million to be used by
11 eligible agencies and institutions of higher education for the
12 purpose of acquiring land either with or without permanent
13 improvements, constructing and equipping buildings or other
14 permanent improvements, major repair or rehabilitation of buildings
15 or other permanent improvements, [and] acquisition of capital
16 equipment, library books and library materials, and paying for
17 buildings or facilities used jointly for educational and general
18 activities and for auxiliary enterprises to the extent of their use
19 for educational and general activities. For the five-year period
20 that begins on September 1, 2000, and for each five-year period
21 that begins after that period, the legislature, during a [During
22 the] regular session [of-the--legislature] that is nearest, but
23 preceding, a five-year period, [the-beginning-of-each-fifth-fiscal
24 year-dating--from--September--17--1985--the--legislature] may by

two-thirds vote of the membership of each house increase [adjust] the amount of the constitutional appropriation for the five-year period [ensuing-five-years] but may not adjust the appropriation in such a way as to impair any obligation created by the issuance of bonds or notes in accordance with this section.

SECTION 2. Article VII, Section 17(b), of the Texas Constitution is amended to read as follows:

(b) The funds appropriated under Subsection (a) of this section shall be for the use of the following eligible agencies and institutions of higher education (even though their names may be changed):

(1) East Texas State University including East Texas State University at Texarkana;

(2) Lamar University including Lamar University at Orange and Lamar University at Port Arthur;

(3) Midwestern State University;

(4) University of North Texas [State-University];

(5) The University of Texas--Pan American [University] including The [Pan-American] University of Texas at Brownsville;

(6) Stephen F. Austin State University;

(7) Texas College of Osteopathic Medicine;

(8) Texas State University System Administration and the following component institutions:

(9) Angelo State University;

(10) Sam Houston State University;

- 1 (11) Southwest Texas State University;
- 2 (12) Sul Ross State University including Uvalde
- 3 Study Center;
- 4 (13) Texas Southern University;
- 5 (14) Texas Tech University;
- 6 (15) Texas Tech University Health Sciences Center;
- 7 (16) Texas Woman's University;
- 8 (17) University of Houston System Administration and
- 9 the following component institutions:
- 10 (18) University of Houston[~~--University-Park~~];
- 11 (19) University of Houston--Victoria;
- 12 (20) University of Houston--Clear Lake;
- 13 (21) University of Houston--Downtown;
- 14 (22) Texas A&M University--Corpus Christi; [~~University~~
- 15 ~~System-of-South--Texas--System--Administration--and--the--following~~
- 16 ~~component-institutions~~];
- 17 (23) Texas A&M International [~~Corpus-Christi-State~~]
- 18 University;
- 19 (24) [~~Laredo-State-University~~;
- 20 [~~+25~~] Texas A&M [~~A&I~~] University--Kingsville; [and]
- 21 (25) [~~+26~~] West Texas A&M [State] University; and
- 22 (26) Texas State Technical College System and its
- 23 campuses, but not its extension centers or programs.

24 SECTION 3. Article VII, Sections 17(e), (f), and (g), of the

25 Texas Constitution are amended to read as follows:

(e) Each governing board authorized to participate in the distribution of money under this section is authorized to expend all money distributed to it for any of the purposes enumerated in Subsection (a). In addition, [~~unless-a-single--bonding--agency--is designated-as-hereinafter-provided,~~7] such governing board may issue bonds and notes for the purposes of refunding bonds or notes issued under this section or prior law, acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, acquiring capital equipment, library books, and library materials, and for major repair and rehabilitation of buildings or other permanent improvements, and may pledge up to 50 percent of the money allocated to such governing board pursuant to this section to secure the payment of the principal and interest of such bonds or notes. Proceeds from the issuance of bonds or notes under this subsection shall be maintained in a local depository selected by the governing board issuing the bonds or notes. The bonds and notes issued under this subsection shall be payable solely out of the money appropriated by this section and shall mature serially or otherwise in not more than 10 years from their respective dates. All bonds issued under this section shall be sold only through competitive bidding and are subject to approval by the attorney general. Bonds approved by the attorney general shall be incontestable. The permanent university fund may be invested in the bonds and notes issued under this section. [~~In--lieu--of--the~~

authority--granted--to-each-governing-board-herein, the legislature by general law may designate a single agency--to--issue--bonds--and notes--authorized--under--this--section--and--transfer--to--that--agency--the authority--to--collect--and--pledge--money--to--the--payment--of--such--bonds and--notes--for--the--purposes,--to--the--extent,--and--subject--to--the restrictions--of--this--section,--Provided, that such agency shall be authorized to issue such bonds and notes--for--the--benefit--of--an eligible--institution--and--pledge--money--collected--hereunder--only--as directed by the governing board of each eligible institution.]

(f) The funds appropriated by this section may not be used for the purpose of constructing, equipping, repairing, or rehabilitating buildings or other permanent improvements that are to be used only for student housing, intercollegiate athletics, or auxiliary enterprises.

(g) The [Except for that portion of the allocated funds that may be required to be transferred to a single--bonding--agency,--if one--is--created,--the] comptroller of public accounts shall make annual transfers of the funds allocated pursuant to Subsection (d) directly to the governing boards of the eligible institutions.

SECTION 4. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by S.J.R. No. 13, 73rd Legislature, Regular Session, 1993, and expires September 2, 1995.

(b) Section 2 of the constitutional amendment takes effect

1 September 1, 1995.

2 SECTION 5. This proposed constitutional amendment shall be
3 submitted to the voters at an election to be held November 2, 1993.
4 The ballot shall be printed to provide for voting for or against
5 the proposition: "The constitutional amendment relating to the
6 amount and expenditure of certain constitutionally dedicated
7 funding for public institutions of higher education."

HOUSE COMMITTEE REPORT

1st Printing

50 MAY 12 PM 11:35

1 SE 11 REPT 11 11

By: Lucio, Ratliff, Bivins
Carriker, Sibley

S.J.R. No. 13

(Counts, et al.)

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment relating to the amount and
2 expenditure of certain constitutionally dedicated funding for
3 public institutions of higher education.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article VII, Section 17(a), of the Texas
6 Constitution is amended to read as follows:

7 (a) In the fiscal year beginning September 1, 1985, and each
8 fiscal year thereafter, there is hereby appropriated out of the
9 first money coming into the state treasury not otherwise
10 appropriated by the constitution \$100 million to be used by
11 eligible agencies and institutions of higher education for the
12 purpose of acquiring land either with or without permanent
13 improvements, constructing and equipping buildings or other
14 permanent improvements, major repair or rehabilitation of buildings
15 or other permanent improvements, [and] acquisition of capital
16 equipment, library books and library materials, and paying for
17 buildings or facilities used jointly for educational and general
18 activities and for auxiliary enterprises to the extent of their use
19 for educational and general activities. For the five-year period
20 that begins on September 1, 2000, and for each five-year period
21 that begins after that period, the legislature, during a [During
22 the] regular session [of-the--legislature] that is nearest, but
23 preceding, a five-year period, [the-beginning-of-each-fifth-fiscal
24 year-dating--from--September--17--1985--the--legislature] may by

1 two-thirds vote of the membership of each house increase [~~adjust~~]
2 the amount of the constitutional appropriation for the five-year
3 period [~~ensuing-five-years~~] but may not adjust the appropriation in
4 such a way as to impair any obligation created by the issuance of
5 bonds or notes in accordance with this section.

6 SECTION 2. Article VII, Section 17(b), of the Texas
7 Constitution is amended to read as follows:

8 (b) The funds appropriated under Subsection (a) of this
9 section shall be for the use of the following eligible agencies and
10 institutions of higher education (even though their names may be
11 changed):

12 (1) East Texas State University including East Texas
13 State University at Texarkana;

14 (2) Lamar University including Lamar University at
15 Orange and Lamar University at Port Arthur;

16 (3) Midwestern State University;

17 (4) University of North Texas [~~State-University~~];

18 (5) The University of Texas--Pan American [~~University~~]
19 including The [~~Pan-American~~] University of Texas at Brownsville;

20 (6) Stephen F. Austin State University;

21 (7) Texas College of Osteopathic Medicine;

22 (8) Texas State University System Administration and
23 the following component institutions:

24 (9) Angelo State University;

25 (10) Sam Houston State University;

(11) Southwest Texas State University;
(12) Sul Ross State University including Uvalde
Study Center;
(13) Texas Southern University;
(14) Texas Tech University;
(15) Texas Tech University Health Sciences Center;
(16) Texas Woman's University;
(17) University of Houston System Administration and
the following component institutions:
(18) University of Houston[~~--University-Park~~];
(19) University of Houston--Victoria;
(20) University of Houston--Clear Lake;
(21) University of Houston--Downtown;
(22) Texas A&M University--Corpus Christi; [~~University
System-of-South--Texas--System--Administration--and--the--following
component-institutions~~];
(23) Texas A&M International [~~Corpus-Christi-State~~]
University;
(24) [~~Laredo-State-University~~;
(~~+25~~) Texas A&M [~~A&I~~] University--Kingsville; (and]
(25) [~~+26~~] West Texas A&M [~~State~~] University; and
(26) Texas State Technical College System and its
campuses, but not its extension centers or programs.

SECTION 3. Article VII, Sections 17(e), (f), and (g), of the
Texas Constitution are amended to read as follows:

(e) Each governing board authorized to participate in the distribution of money under this section is authorized to expend all money distributed to it for any of the purposes enumerated in Subsection (a). In addition, [~~unless a single bonding agency is designated as hereinafter provided,~~7] such governing board may issue bonds and notes for the purposes of refunding bonds or notes issued under this section or prior law, acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, acquiring capital equipment, library books, and library materials, and for major repair and rehabilitation of buildings or other permanent improvements, and may pledge up to 50 percent of the money allocated to such governing board pursuant to this section to secure the payment of the principal and interest of such bonds or notes. Proceeds from the issuance of bonds or notes under this subsection shall be maintained in a local depository selected by the governing board issuing the bonds or notes. The bonds and notes issued under this subsection shall be payable solely out of the money appropriated by this section and shall mature serially or otherwise in not more than 10 years from their respective dates. All bonds issued under this section shall be sold only through competitive bidding and are subject to approval by the attorney general. Bonds approved by the attorney general shall be incontestable. The permanent university fund may be invested in the bonds and notes issued under this section. [~~In lieu of the~~

authority--granted--to--each-governing-board-herein,--the-legislature
by-general-law-may-designate-a-single-agency--to--issue--bonds--and
notes-authorized-under-this-section-and-transfer-to-that-agency-the
authority--to-collect-and-pledge-money-to-the-payment-of-such-bonds
and-notes-for-the-purposes,--to--the--extent,--and--subject--to--the
restrictions--of-this-section.--Provided,--that-such-agency-shall-be
authorized-to-issue-such-bonds-and-notes--for--the--benefit--of--an
eligible--institution--and-pledge-money-collected-hereunder-only-as
directed-by-the-governing-board-of-each-eligible-institution.]

(f) The funds appropriated by this section may not be used
for the purpose of constructing, equipping, repairing, or
rehabilitating buildings or other permanent improvements that are
to be used only for student housing, intercollegiate athletics, or
auxiliary enterprises.

(g) The [Except-for-that-portion-of-the-allocated-funds-that
may-be-required-to-be-transferred-to-a-single--bonding--agency,--if
one--is--created,--the] comptroller of public accounts shall make
annual transfers of the funds allocated pursuant to Subsection (d)
directly to the governing boards of the eligible institutions.

SECTION 4. The following temporary provision is added to the
Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies
to the constitutional amendment proposed by S.J.R. No. 13, 73rd
Legislature, Regular Session, 1993, and expires September 2, 1995.

(b) Section 2 of the constitutional amendment takes effect

1 September 1, 1995.

2 SECTION 5. This proposed constitutional amendment shall be
3 submitted to the voters at an election to be held November 2, 1993.
4 The ballot shall be printed to provide for voting for or against
5 the proposition: "The constitutional amendment relating to the
6 amount and expenditure of certain constitutionally dedicated
7 funding for public institutions of higher education."

COMMITTEE REPORT

The Honorable Pete Laney
Speaker of the House of Representatives

5-11-93
(date)

Sir:

We, your COMMITTEE ON APPROPRIATIONS
to whom was referred SJR 13 have had the same under consideration and beg to report
(measure)

back with the recommendation that it
(x x) do pass, without amendment.
() do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (x) yes () no An author's fiscal statement was requested. () yes (x) no

A criminal justice policy impact statement was requested. () yes (x) no

An equalized educational funding impact statement was requested. () yes (x) no

An actuarial impact statement was requested. () yes (x) no

A water development policy impact statement was requested. () yes (x) no

() The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.


House Sponsor of Senate Measure Counts et. al.

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Junell, Ch.	x			
McDonald, V. C.	x			
Alexander				x
Bomer	x			
Carona	x			
Clemons	x			
Coleman	x			
Conley	x			
Cook	x			
Cuellar, H.	x			
Cuellar, R.	x			
Delisi				x
Denton	x			
Gallego	x			
Gallegos	x			
Glaze	x			
Heflin		x		
Hernandez	x			
Hunter, T.				x
Kubiak				x
Martin	x			
Mowery	x			
Ogden		x		
Smith, D.		x		
Swinford	x			
Telford				x
Vowell	x			

Total

19 aye
3 nay
0 present, not voting
5 absent


CHAIRMAN

BILL ANALYSIS

S.J.R. 13 By: Lucio, et al.
Sponsor: Counts, Denton

House Committee on
Appropriations

BACKGROUND

The Texas State Technical College System, established in 1965, is the only system of state higher education institutions which does not have a permanent source of funding for new construction and major facility repairs. The Permanent University Fund supports these activities for the University of Texas System and the Texas A & M System, other state institutions of higher education receive this sort of funding from the Higher Education Assistance Fund (HEAF), and community colleges fund these activities through property tax authority.

A Senate Interim Committee studied this situation prior to the 72nd Legislature and recommended that the Texas State Technical College System (TSTC) be placed under HEAF when reauthorization of that fund and the allocation of the monies in the fund are considered in 1995.

PURPOSE

This joint resolution provides for the addition of TSTC to the HEAF. Provides for a November 2, 1993 election on the necessary constitutional amendment.

SECTION-BY-SECTION ANALYSIS

SECTION 1

Amends the Texas Constitution, Article VII, Section 17(a), to provide that HEAF monies may be used to pay for buildings and facilities used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities. Amends provisions relating to the schedule under which the legislature is to review appropriations to the fund, and provides that the fund may only be increased on that schedule, rather than adjusted.

SECTION 2

Amends the Texas Constitution, Article VII, Section 17(b), to make technical corrections to the names of some of the institutions listed as eligible to receive HEAF monies, and to add Texas State Technical College and its campuses, but not its extension centers or programs, to the list of eligible institutions.

SECTION 3

Amends the Texas Constitution, Article VII, Section 17(e) to eliminate a provision allowing for the designation of a single agency to issue and repay HEAF bonds and notes. The elimination of the single bonding agency places all bonding authority under the control of the governing boards of the institutions authorized to participate in the distribution of HEAF monies. Includes as eligible purposes of such bonds and notes the acquisition of capital equipment, library books and library materials.

Amends Subsection (f) to clarify an exemption on the use of HEAF monies to provide that the monies may not be used for purposes relating to facilities which are used exclusively for student housing, intercollegiate athletics, or auxiliary enterprises. This amendment provides for conformity with Section 1 of the S.J.R..

Amends Subsection (g) to provide for conformity with the amendment to Subsection (e), eliminating the use of a single bonding authority.

SECTION 4

Adds a temporary provision to the Texas Constitution, providing that Section 2 of the constitutional amendment, which adds TSTC to HEAF, takes effect September 1, 1995. Other portions of the amendment would become effective upon approval in the general election.

SECTION 5

Requires that the proposed constitutional amendment be submitted to the voters in the general election of November 2, 1993, and provides the ballot language for the proposition.

RULEMAKING AUTHORITY

It is the Committee's opinion that this bill grants no additional rulemaking authority to a state agency, officer, department or institution.

SUMMARY OF COMMITTEE ACTION

S.J.R. 13 was considered before the full committee on May 7, 1993, in a public hearing and was left pending. It was again considered in a public hearing and left pending on May 10, 1993. No witnesses registered for, against, or on the bill at either hearing. S.J.R. 13 was considered in a formal meeting on May 11, 1993 and was reported favorably to the Committee on Calendars by a vote of 19 ayes, 3 nays, 0 PNV, and 5 absent.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

May 3, 1993

TO: Honorable Robert Junell, Chair
Committee on Appropriations
House of Representatives
Austin, Texas

IN RE: Senate Joint Resolution
No. 13, as engrossed
By: Lucio, et al.

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 13, as engrossed (proposing a constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The resolution proposes a constitutional amendment that would, if adopted by the voters in a November 2, 1993 election, add Texas State Technical College System campuses, but not its extension centers or programs, to the Higher Education Assistance Funds.

No fiscal implication to the State or units of local government is anticipated.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board
LBB Staff: JO, JWH, DF, WRR, OC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

April 2, 1993

TO: Honorable Bill Ratliff, Chair
Committee on Education
Senate Chamber
Austin, Texas

IN RE: Committee Substitute for
Senate Joint Resolution No. 13

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute Senate Joint Resolution No. 13 (proposing a constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The resolution would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution proposes a constitutional amendment that would, if adopted by the voters in a November 2, 1993 election, add Texas State Technical College System and its Waco, Amarillo, Harlingen, and Sweetwater campuses, but not its extension centers or programs, to the Higher Education Assistance Funds. The resolution would increase the fund beginning September 1, 1995 to \$200 million per year, an increase of \$100 million per year over the current level, and would increase the number of institutions eligible to share in the fund.

Similar annual costs of \$100 million would continue as long as the amendment is part of the constitution.

No fiscal implication to units of local government is anticipated.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board;
LBB Staff: JO, JWH, EC, WRR, JOL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

March 19, 1993

TO: Honorable Bill Ratliff, Chair
Committee on Education
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution
No. 13
By: Lucio

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 13 (proposing a constitutional amendment to add the Texas State Technical College System to certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution would propose a constitutional amendment to add the Texas State Technical College System (TSTC) to the list of institutions of higher education eligible to receive capital funding from the annual \$100 million per year constitutional appropriation to certain institutions of higher education beginning on September 1, 1995.

The constitutional amendment would be submitted to the voters at an election to be held on November 2, 1993.

Currently TSTC receives funding for its capital needs from the General Revenue Fund through a line-item appropriation.

The \$100 million per year allocation from the General Revenue Fund is distributed to eligible institutions based on a formula that considers relative needs. If the constitutional amendment is passed by the voters, the Legislature could appropriate the funds for TSTC's capital needs beginning in fiscal 1996 in lieu of additional general revenue.

The probable savings from implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Fiscal Year	Probable Savings to the General Revenue Fund
1994	0
1995	0
1996	\$1,600,000
1997	1,600,000
1998	1,600,000

Similar annual savings would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board, Comptroller of Public Accounts;
LBB Staff: JO, JWH, EC, WRR, JOL

~~CONSTITUTION~~ AMENDMENT NO. ①

Duncan

Amend S.J.R. No. 13 as follows:

(1) In SECTION 1, in amended Article VII, Section 17(a), of the Texas Constitution (page 1, lines 16 and 17, Engrossed Bill), strike ", and paying for buildings or facilities" and substitute ", and paying for acquiring, constructing, or equipping or for major repair or rehabilitation of buildings, facilities, other permanent improvements, or capital equipment".

(2) In SECTION 3, in amended Article VII, Section 17(e), of the Texas Constitution (page 4, line 10, Engrossed Bill), between "materials," and "and", insert "paying for acquiring, constructing, or equipping or for major repair or rehabilitation of buildings, facilities, other permanent improvements, or capital equipment used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities,".

ADOPTED

MAY 21 1993

Betty M. Moseley
Chief Clerk
House of Representatives

AMENDMENT NO.

2

BY

Duncan

Amend S.J.R. No. 13 by inserting a new SECTION 3 to read as follows and renumbering the existing SECTION 3 and subsequent SECTIONS appropriately:

SECTION 3. Article VII, Section 17, of the Texas Constitution is amended by adding Subsection (d-1) to read as follows:

(d-1) Notwithstanding Subsection (d) of this section, the allocation of the annual appropriation to Texas State Technical College System and its campuses may not exceed 2.2 percent of the total appropriation each fiscal year.

ADOPTED

MAY 21 1993

Betty Murray
Chief Clerk
House of Representatives

AMENDMENT NO. 3

BY [Signature]

Amend S.J.R. 13 in Section 3 of the Resolution, in Subsection (F), Section 17, Article VII, of the Texas Constitution (page 5 line 13 of the House Committee Report), by striking "only".

ADOPTED

MAY 21 1993

Betty Messing
Chief Clerk
House of Representatives

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

Honorable Bob Bullock
President of the Senate

Honorable Pete Laney
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on _____ have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Eddie Lucio

Jul Bon

Robert

On the part of the Senate

ADOPTED
31-0
MAY 29 1993

W. Lee
Secretary of the Senate

Date

93 MAY 28 P12:33

SECRET

Robert

Robert

On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

Read this

CONFERENCE COMMITTEE REPORT

S.J.R. No. 13

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment relating to the amount and
2 expenditure of certain constitutionally dedicated funding for
3 public institutions of higher education.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article VII, Section 17(a), of the Texas
6 Constitution is amended to read as follows:

7 (a) In the fiscal year beginning September 1, 1985, and each
8 fiscal year thereafter, there is hereby appropriated out of the
9 first money coming into the state treasury not otherwise
10 appropriated by the constitution \$100 million to be used by
11 eligible agencies and institutions of higher education for the
12 purpose of acquiring land either with or without permanent
13 improvements, constructing and equipping buildings or other
14 permanent improvements, major repair or rehabilitation of buildings
15 or other permanent improvements, ~~[and]~~ acquisition of capital
16 equipment, library books and library materials, and paying for
17 acquiring, constructing, or equipping or for major repair or
18 rehabilitation of buildings, facilities, other permanent
19 improvements, or capital equipment used jointly for educational and
20 general activities and for auxiliary enterprises to the extent of
21 their use for educational and general activities. For the
22 five-year period that begins on September 1, 2000, and for each
23 five-year period that begins after that period, the legislature,
24 during a ~~[During-the]~~ regular session ~~[of-the-legislature]~~ that is

1 nearest, but preceding, a five-year period, [~~the-beginning-of-each~~
2 ~~fifth-fiscal-year-dating-from-September-17-1985--the--legislature~~]
3 may by two-thirds vote of the membership of each house increase
4 [~~adjust~~] the amount of the constitutional appropriation for the
5 five-year period [~~ensuing--five--years~~] but may not adjust the
6 appropriation in such a way as to impair any obligation created by
7 the issuance of bonds or notes in accordance with this section.

8 SECTION 2. Article VII, Section 17(b), of the Texas
9 Constitution is amended to read as follows:

10 (b) The funds appropriated under Subsection (a) of this
11 section shall be for the use of the following eligible agencies and
12 institutions of higher education (even though their names may be
13 changed):

14 (1) East Texas State University including East Texas
15 State University at Texarkana;

16 (2) Lamar University including Lamar University at
17 Orange and Lamar University at Port Arthur;

18 (3) Midwestern State University;

19 (4) University of North Texas [~~State-University~~];

20 (5) The University of Texas--Pan American [~~University~~]
21 including The [~~Pan-American~~] University of Texas at Brownsville;

22 (6) Stephen F. Austin State University;

23 (7) Texas College of Osteopathic Medicine;

24 (8) Texas State University System Administration and
25 the following component institutions:

26 (9) Angelo State University;

27 (10) Sam Houston State University;

- (11) Southwest Texas State University;
- (12) Sul Ross State University including Uvalde Study Center;
- (13) Texas Southern University;
- (14) Texas Tech University;
- (15) Texas Tech University Health Sciences Center;
- (16) Texas Woman's University;
- (17) University of Houston System Administration and the following component institutions:
 - (18) University of Houston[~~--University-Park~~];
 - (19) University of Houston--Victoria;
 - (20) University of Houston--Clear Lake;
 - (21) University of Houston--Downtown;
 - (22) Texas A&M University--Corpus Christi; [~~University System--of--South--Texas--System--Administration--and--the--following component-institutions;~~]
 - (23) Texas A&M International [~~Corpus--Christi--State~~] University;
 - (24) [~~Laredo-State-University;~~
 - [~~+25+~~] Texas A&M [A&F] University--Kingsville; [and]
 - (25) [~~+26+~~] West Texas A&M [State] University; and
 - (26) Texas State Technical College System and its campuses, but not its extension centers or programs.

SECTION 3. Article VII, Section 17, of the Texas Constitution is amended by adding Subsection (d-1) to read as follows:

(d-1) Notwithstanding Subsection (d) of this section, the

1 allocation of the annual appropriation to Texas State Technical
 2 College System and its campuses may not exceed 2.2 percent of the
 3 total appropriation each fiscal year.

4 SECTION 4. Article VII, Sections 17(e), (f), and (g), of the
 5 Texas Constitution are amended to read as follows:

6 (e) Each governing board authorized to participate in the
 7 distribution of money under this section is authorized to expend
 8 all money distributed to it for any of the purposes enumerated in
 9 Subsection (a). In addition, [~~unless-a-single--bonding--agency--is~~
 10 ~~designated-as-hereinafter-provided,~~] such governing board may issue
 11 bonds and notes for the purposes of refunding bonds or notes issued
 12 under this section or prior law, acquiring land either with or
 13 without permanent improvements, constructing and equipping
 14 buildings or other permanent improvements, acquiring capital
 15 equipment, library books, and library materials, paying for
 16 acquiring, constructing, or equipping or for major repair or
 17 rehabilitation of buildings, facilities, other permanent
 18 improvements, or capital equipment used jointly for educational and
 19 general activities and for auxiliary enterprises to the extent of
 20 their use for educational and general activities, and for major
 21 repair and rehabilitation of buildings or other permanent
 22 improvements, and may pledge up to 50 percent of the money
 23 allocated to such governing board pursuant to this section to
 24 secure the payment of the principal and interest of such bonds or
 25 notes. Proceeds from the issuance of bonds or notes under this
 26 subsection shall be maintained in a local depository selected by
 27 the governing board issuing the bonds or notes. The bonds and

1 notes issued under this subsection shall be payable solely out of
 2 the money appropriated by this section and shall mature serially or
 3 otherwise in not more than 10 years from their respective dates.
 4 All bonds issued under this section shall be sold only through
 5 competitive bidding and are subject to approval by the attorney
 6 general. Bonds approved by the attorney general shall be
 7 incontestable. The permanent university fund may be invested in
 8 the bonds and notes issued under this section. [~~In--lieu--of--the~~
 9 ~~authority--granted--to--each--governing--board--herein,--the--legislature~~
 10 ~~by--general--law--may--designate--a--single--agency--to--issue--bonds--and~~
 11 ~~notes--authorized--under--this--section--and--transfer--to--that--agency--the~~
 12 ~~authority--to--collect--and--pledge--money--to--the--payment--of--such--bonds~~
 13 ~~and--notes--for--the--purposes,--to--the--extent,--and--subject--to--the~~
 14 ~~restrictions--of--this--section,--Provided,--that--such--agency--shall--be~~
 15 ~~authorized--to--issue--such--bonds--and--notes--for--the--benefit--of--an~~
 16 ~~eligible--institution--and--pledge--money--collected--hereunder--only--as~~
 17 ~~directed--by--the--governing--board--of--each--eligible--institution.]~~

18 (f) The funds appropriated by this section may not be used
 19 for the purpose of constructing, equipping, repairing, or
 20 rehabilitating buildings or other permanent improvements that are
 21 to be used only for student housing, intercollegiate athletics, or
 22 auxiliary enterprises.

23 (g) The [~~Except--for--that--portion--of--the--allocated--funds--that~~
 24 ~~may--be--required--to--be--transferred--to--a--single--bonding--agency,--if~~
 25 ~~one--is--created,--the]~~ comptroller of public accounts shall make
 26 annual transfers of the funds allocated pursuant to Subsection (d)
 27 directly to the governing boards of the eligible institutions.

1 SECTION 5. The following temporary provision is added to the
2 Texas Constitution:

3 TEMPORARY PROVISION. (a) This temporary provision applies
4 to the constitutional amendment proposed by S.J.R. No. 13, 73rd
5 Legislature, Regular Session, 1993, and expires September 2, 1995.

6 (b) Section 2 of the constitutional amendment takes effect
7 September 1, 1995.

8 SECTION 6. This proposed constitutional amendment shall be
9 submitted to the voters at an election to be held November 2, 1993.
10 The ballot shall be printed to provide for voting for or against
11 the proposition: "The constitutional amendment relating to the
12 amount and expenditure of certain constitutionally dedicated
13 funding for public institutions of higher education."

**SIDE BY SIDE ANALYSIS
SJR 13**

SENATE VERSION	HOUSE VERSION	CONFERENCE COMMITTEE
SECTION 1. Amends Article VII, Section 17 (a) of the Texas Constitution as follows:	Same	
(a) Appropriates \$100 million out of the first money coming into the state treasury for eligible institutions to the higher education fund for certain purposes including paying for buildings or facilities used jointly for educational and general activities and for auxiliary enterprises .	(a) Clarifies that funds may be used for capital construction or capital equipment.	(a) House version adopted
SECTION 2. Amends Article VII, Section 17 (b), Texas Constitution by adding the Texas State Technical College System and its campuses to the list of institutions eligible for funds appropriated under Subsection (a). Renames certain institutions.	Same	
SECTION 3. Amends Article VII, Sections 17 (e), (f), and (g), Texas Constitution as follows:	Same	
(e) Authorizes a governing board to participate in the distribution of money to issue bonds and notes for certain purposes including acquiring capital equipment, library books, and library materials. Deletes language authorizing the legislature to designate a single agency to issue bonds and notes.	(e) Makes technical changes that clarify that bond proceeds issued may be used for capital construction costs or capital equipment.	(e) House version adopted

<p>(f) Prohibits funds from being used for the purpose of constructing, equipping, repairing or rehabilitating buildings or other permanent improvements that are to be used only for student housing, intercollegiate athletics or auxiliary enterprises.</p> <p>(g) Deletes language providing that the exception to this section is a portion of the allocated funds that may be required to be transferred to a single bonding agency.</p>	<p>(f) Prohibits funds from being used for buildings or other permanent improvements that are used even partially for student housing, intercollegiate athletics, or auxiliary enterprises.</p> <p>(g) Same</p> <p>Adds a new Section 3, (d-1) to add a cap of 2.2 percent of the total appropriation of a fiscal year for the amount of funds that TSTC may receive.</p>	<p>(f) Senate</p> <p>(d-1) House version adopted</p>
SECTION 4. Adds the following temporary provision to the Texas Constitution:	Same	
<p>(a) Provides that the temporary provision applies to the constitutional amendment proposed by SJR 13 and expires Sept. 2, 1995.</p> <p>(b) Provides that Section 2 of the constitutional amendment takes effect Sept. 1, 1995.</p>	Same	
SECTION 5. Requires the amendment to be submitted to the voters on Nov. 2, 1993. Provides ballot language.	Same	

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

ADOPTED

by record

May 27, 1993

Date

MAY 29 1993

113 years

19 may 5 1 p m

Vote

Honorable Bob Bullock
President of the Senate

Honorable Pete Laney
Speaker of the House of Representatives

Chief Clerk
House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SJR 13 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Eddie Lucio
Sen. Eddie Lucio, Chair

Teel Bivins
Sen. Teel Bivins

John Montford
Sen. John Montford

Bill Ratcliff
Sen. Bill Ratcliff

David Sibley
On the part of the Senate
Sen. David Sibley

David Counts
Rep. David Counts, Chair

Debra Danburg
Rep. Debra Danburg

Robert Duncan
Rep. Robert Duncan

Jim Rudd
Rep. Jim Rudd
David Swinford
On the part of the House
Rep. David Swinford

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

**SIDE BY SIDE ANALYSIS
SJR 13**

SENATE VERSION	HOUSE VERSION	CONFERENCE COMMITTEE
SECTION 1. Amends Article VII, Section 17 (a) of the Texas Constitution as follows:	Same	
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SECTION 3. Amends Article VII, Sections 17 (e), (f), and (g), Texas Constitution as follows:	Same	
(e) Authorizes a governing board to participate in the distribution of money to issue bonds and notes for certain purposes including acquiring capital equipment, library books, and library materials. Deletes language authorizing the legislature to designate a single agency to issue bonds and notes.	(e) Makes technical changes that clarify that bond proceeds issued may be used for capital construction costs or capital equipment.	(e) House version adopted

<p>(f) Prohibits funds from being used for the purpose of constructing, equipping, repairing or rehabilitating buildings or other permanent improvements that are to be used only for student housing, intercollegiate athletics or auxiliary enterprises.</p> <p>(g) Deletes language providing that the exception to this section is a portion of the allocated funds that may be required to be transferred to a single bonding agency.</p>	<p>(f) Prohibits funds from being used for buildings or other permanent improvements that are used even partially for student housing, intercollegiate athletics, or auxiliary enterprises.</p> <p>(g) Same</p> <p>Adds a new Section 3, (d-1) to add a cap of 2.2 percent of the total appropriation of a fiscal year for the amount of funds that TSTC may receive.</p>	<p>(f) Senate</p> <p>(d-1) House version adopted</p>
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<p>(a) Provides that the temporary provision applies to the constitutional amendment proposed by SJR 13 and expires Sept. 2, 1995.</p> <p>(b) Provides that Section 2 of the constitutional amendment takes effect Sept. 1, 1995.</p>	Same	
SECTION 5. Requires the amendment to be submitted to the voters on Nov. 2, 1993. Provides ballot language.	Same	

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 27, 1993

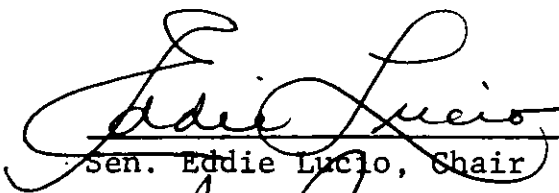
Date

Honorable Bob Bullock
President of the Senate

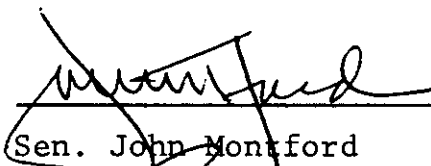
Honorable Pete Laney
Speaker of the House of Representatives

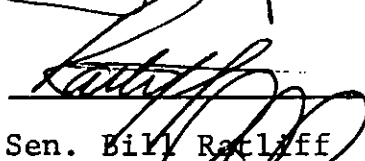
Sirs:

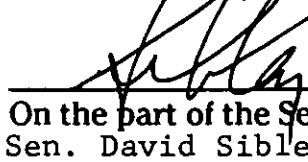
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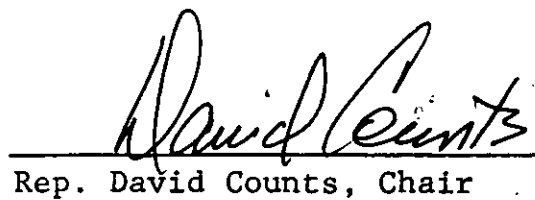

Sen. Eddie Lucio, Chair

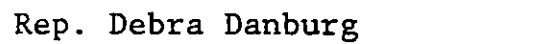

Sen. Teel Bivins

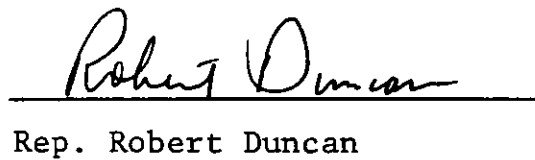

Sen. John Montford

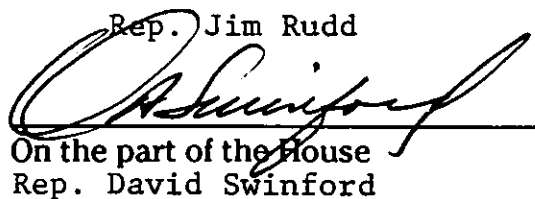

Sen. Bill Ratliff


On the part of the Senate
Sen. David Sibley


Rep. David Counts, Chair


Rep. Debra Danburg


Rep. Robert Duncan


Rep. Jim Rudd
On the part of the House
Rep. David Swinford

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.J.R. No. 13

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment relating to the amount and
2 expenditure of certain constitutionally dedicated funding for
3 public institutions of higher education.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article VII, Section 17(a), of the Texas
6 Constitution is amended to read as follows:

7 (a) In the fiscal year beginning September 1, 1985, and each
8 fiscal year thereafter, there is hereby appropriated out of the
9 first money coming into the state treasury not otherwise
10 appropriated by the constitution \$100 million to be used by
11 eligible agencies and institutions of higher education for the
12 purpose of acquiring land either with or without permanent
13 improvements, constructing and equipping buildings or other
14 permanent improvements, major repair or rehabilitation of buildings
15 or other permanent improvements, ~~[and]~~ acquisition of capital
16 equipment, library books and library materials, and paying for
17 acquiring, constructing, or equipping or for major repair or
18 rehabilitation of buildings, facilities, other permanent
19 improvements, or capital equipment used jointly for educational and
20 general activities and for auxiliary enterprises to the extent of
21 their use for educational and general activities. For the
22 five-year period that begins on September 1, 2000, and for each
23 five-year period that begins after that period, the legislature,
24 during a ~~[During-the]~~ regular session ~~[of-the-legislature]~~ that is

1 nearest, but preceding, a five-year period, [~~the-beginning-of-each~~
 2 ~~fifth-fiscal-year-dating-from-September-17-1985--the--legislature~~]
 3 may by two-thirds vote of the membership of each house increase
 4 [~~adjust~~] the amount of the constitutional appropriation for the
 5 five-year period [~~ensuing--five--years~~] but may not adjust the
 6 appropriation in such a way as to impair any obligation created by
 7 the issuance of bonds or notes in accordance with this section.

8 SECTION 2. Article VII, Section 17(b), of the Texas
 9 Constitution is amended to read as follows:

10 (b) The funds appropriated under Subsection (a) of this
 11 section shall be for the use of the following eligible agencies and
 12 institutions of higher education (even though their names may be
 13 changed):

14 (1) East Texas State University including East Texas
 15 State University at Texarkana;

16 (2) Lamar University including Lamar University at
 17 Orange and Lamar University at Port Arthur;

18 (3) Midwestern State University;

19 (4) University of North Texas [~~State-University~~];

20 (5) The University of Texas--Pan American [~~University~~]
 21 including The [~~Pan-American~~] University of Texas at Brownsville;

22 (6) Stephen F. Austin State University;

23 (7) Texas College of Osteopathic Medicine;

24 (8) Texas State University System Administration and
 25 the following component institutions:

26 (9) Angelo State University;

27 (10) Sam Houston State University;

(11) Southwest Texas State University;
(12) Sul Ross State University including Uvalde
Study Center;
(13) Texas Southern University;
(14) Texas Tech University;
(15) Texas Tech University Health Sciences Center;
(16) Texas Woman's University;
(17) University of Houston System Administration and
the following component institutions:
(18) University of Houston[~~--University-Park~~];
(19) University of Houston--Victoria;
(20) University of Houston--Clear Lake;
(21) University of Houston--Downtown;
(22) Texas A&M University--Corpus Christi; [~~University
System--of--South--Texas--System--Administration--and--the--following
component-institutions:~~]
(23) Texas A&M International [~~Corpus--Christi--State~~]
University;
(24) [~~Laredo-State-University~~;
[~~+25~~] Texas A&M [~~A&I~~] University--Kingsville; [and]
(25) [~~+26~~] West Texas A&M [~~State~~] University; and
(26) Texas State Technical College System and its
campuses, but not its extension centers or programs.

SECTION 3. Article VII, Section 17, of the Texas
Constitution is amended by adding Subsection (d-1) to read as
follows:

(d-1) Notwithstanding Subsection (d) of this section, the

1 allocation of the annual appropriation to Texas State Technical
2 College System and its campuses may not exceed 2.2 percent of the
3 total appropriation each fiscal year.

4 SECTION 4. Article VII, Sections 17(e), (f), and (g), of the
5 Texas Constitution are amended to read as follows:

6 (e) Each governing board authorized to participate in the
7 distribution of money under this section is authorized to expend
8 all money distributed to it for any of the purposes enumerated in
9 Subsection (a). In addition, [~~unless-a-single--bonding--agency--is~~
10 ~~designated-as-hereinafter-provided,~~] such governing board may issue
11 bonds and notes for the purposes of refunding bonds or notes issued
12 under this section or prior law, acquiring land either with or
13 without permanent improvements, constructing and equipping
14 buildings or other permanent improvements, acquiring capital
15 equipment, library books, and library materials, paying for
16 acquiring, constructing, or equipping or for major repair or
17 rehabilitation of buildings, facilities, other permanent
18 improvements, or capital equipment used jointly for educational and
19 general activities and for auxiliary enterprises to the extent of
20 their use for educational and general activities, and for major
21 repair and rehabilitation of buildings or other permanent
22 improvements, and may pledge up to 50 percent of the money
23 allocated to such governing board pursuant to this section to
24 secure the payment of the principal and interest of such bonds or
25 notes. Proceeds from the issuance of bonds or notes under this
26 subsection shall be maintained in a local depository selected by
27 the governing board issuing the bonds or notes. The bonds and

1 notes issued under this subsection shall be payable solely out of
 2 the money appropriated by this section and shall mature serially or
 3 otherwise in not more than 10 years from their respective dates.
 4 All bonds issued under this section shall be sold only through
 5 competitive bidding and are subject to approval by the attorney
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 7 incontestable. The permanent university fund may be invested in
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 9 ~~authority--granted--to--each--governing--board--herein,--the--legislature~~
 10 ~~by--general--law--may--designate--a--single--agency--to--issue--bonds--and~~
 11 ~~notes--authorized--under--this--section--and--transfer--to--that--agency--the~~
 12 ~~authority--to--collect--and--pledge--money--to--the--payment--of--such--bonds~~
 13 ~~and--notes--for--the--purposes,--to--the--extent,--and--subject--to--the~~
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 16 ~~eligible--institution--and--pledge--money--collected--hereunder--only--as~~
 17 ~~directed--by--the--governing--board--of--each--eligible--institution.]~~

18 (f) The funds appropriated by this section may not be used
 19 for the purpose of constructing, equipping, repairing, or
 20 rehabilitating buildings or other permanent improvements that are
 21 to be used only for student housing, intercollegiate athletics, or
 22 auxiliary enterprises.

23 (g) The [~~Except--for--that--portion--of--the--allocated--funds--that~~
 24 ~~may--be--required--to--be--transferred--to--a--single--bonding--agency,--if~~
 25 ~~one--is--created,--the]~~ comptroller of public accounts shall make
 26 annual transfers of the funds allocated pursuant to Subsection (d)
 27 directly to the governing boards of the eligible institutions.

1 SECTION 5. The following temporary provision is added to the
2 Texas Constitution:

3 TEMPORARY PROVISION. (a) This temporary provision applies
4 to the constitutional amendment proposed by S.J.R. No. 13, 73rd
5 Legislature, Regular Session, 1993, and expires September 2, 1995.

6 (b) Section 2 of the constitutional amendment takes effect
7 September 1, 1995.

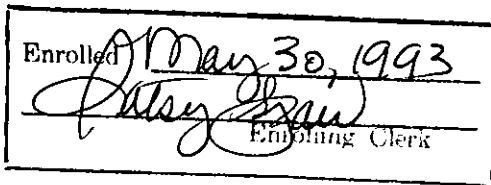
8 SECTION 6. This proposed constitutional amendment shall be
9 submitted to the voters at an election to be held November 2, 1993.
10 The ballot shall be printed to provide for voting for or against
11 the proposition: "The constitutional amendment relating to the
12 amount and expenditure of certain constitutionally dedicated
13 funding for public institutions of higher education."

**SIDE BY SIDE ANALYSIS
SJR 13**

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<p>(f) Prohibits funds from being used for the purpose of constructing, equipping, repairing or rehabilitating buildings or other permanent improvements that are to be used only for student housing, intercollegiate athletics or auxiliary enterprises.</p> <p>(g) Deletes language providing that the exception to this section is a portion of the allocated funds that may be required to be transferred to a single bonding agency.</p>	<p>(f) Prohibits funds from being used for buildings or other permanent improvements that are used even partially for student housing, intercollegiate athletics, or auxiliary enterprises.</p> <p>(g) Same</p> <p>Adds a new Section 3, (d-1) to add a cap of 2.2 percent of the total appropriation of a fiscal year for the amount of funds that TSTC may receive.</p>	<p>(f) Senate</p> <p>(d-1) House version adopted</p>
SECTION 4. Adds the following temporary provision to the Texas Constitution:	Same	
<p>(a) Provides that the temporary provision applies to the constitutional amendment proposed by SJR 13 and expires Sept. 2, 1995.</p> <p>(b) Provides that Section 2 of the constitutional amendment takes effect Sept. 1, 1995.</p>	Same	
SECTION 5. Requires the amendment to be submitted to the voters on Nov. 2, 1993. Provides ballot language.	Same	

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S.J.R. No. 13

SENATE JOINT RESOLUTION

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2 expenditure of certain constitutionally dedicated funding for
3 public institutions of higher education.

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20 general activities and for auxiliary enterprises to the extent of
21 their use for educational and general activities. For the
22 five-year period that begins on September 1, 2000, and for each
23 five-year period that begins after that period, the legislature,
24 during a [During-the] regular session [of-the-legislature] that is

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S.J.R. No. 13

1 nearest, but preceding, a five-year period, [~~the-beginning-of-each~~
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3 may by two-thirds vote of the membership of each house increase
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S.J.R. No. 13

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14 (20) University of Houston--Clear Lake;
15 (21) University of Houston--Downtown;
16 (22) Texas A&M University--Corpus Christi; [~~University~~
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S.J.R. No. 13

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25 repair and rehabilitation of buildings or other permanent

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5 subsection shall be maintained in a local depository selected by
6 the governing board issuing the bonds or notes. The bonds and
7 notes issued under this subsection shall be payable solely out of
8 the money appropriated by this section and shall mature serially or
9 otherwise in not more than 10 years from their respective dates.
10 All bonds issued under this section shall be sold only through
11 competitive bidding and are subject to approval by the attorney
12 general. Bonds approved by the attorney general shall be
13 incontestable. The permanent university fund may be invested in
14 the bonds and notes issued under this section. [~~In-lieu-of-the~~
15 ~~authority-granted-to-each-governing-board-herein,--the--legislature~~
16 ~~by--general--law--may--designate-a-single-agency-to-issue-bonds-and~~
17 ~~notes-authorized-under-this-section-and-transfer-to-that-agency-the~~
18 ~~authority-to-collect-and-pledge-money-to-the-payment-of-such--bonds~~
19 ~~and--notes--for--the--purposes,--to--the--extent,--and-subject-to-the~~
20 ~~restrictions-of-this-section,--Provided,--that-such-agency-shall--be~~
21 ~~authorized--to--issue--such--bonds--and-notes-for-the-benefit-of-an~~
22 ~~eligible-institution-and-pledge-money-collected-hereunder--only--as~~
23 ~~directed-by-the-governing-board-of-each-eligible-institution.]~~

24 (f) The funds appropriated by this section may not be used
25 for the purpose of constructing, equipping, repairing, or

90p
Glee

S.J.R. No. 13

1 rehabilitating buildings or other permanent improvements that are
2 to be used only for student housing, intercollegiate athletics, or
3 auxiliary enterprises.

4 (g) The [Except-for-that-portion-of-the-allocated-funds-that
5 may--be--required--to-be-transferred-to-a-single-bonding-agency,--if
6 one-is-created,--the] comptroller of public accounts shall make
7 annual transfers of the funds allocated pursuant to Subsection (d)
8 directly to the governing boards of the eligible institutions.

9 SECTION 5. The following temporary provision is added to the
10 Texas Constitution:

11 TEMPORARY PROVISION. (a) This temporary provision applies
12 to the constitutional amendment proposed by S.J.R. No. 13, 73rd
13 Legislature, Regular Session, 1993, and expires September 2, 1995.

14 (b) Section 2 of the constitutional amendment takes effect
15 September 1, 1995.

16 SECTION 6. This proposed constitutional amendment shall be
17 submitted to the voters at an election to be held November 2, 1993.
18 The ballot shall be printed to provide for voting for or against
19 the proposition: "The constitutional amendment relating to the
20 amount and expenditure of certain constitutionally dedicated
21 funding for public institutions of higher education."

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 13 was adopted by the Senate on April 15, 1993, by the following vote: Yeas 30, Nays 0; May 25, 1993, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 1993, House granted request of the Senate; May 29, 1993, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 13 was adopted by the House, with amendments, on May 21, 1993, by the following vote: Yeas 106, Nays 21, one present not voting; May 27, 1993, House granted request of the Senate for appointment of Conference Committee; May 29, 1993, House adopted Conference Committee Report by the following vote: Yeas 113, Nays 19, one present not voting.

Chief Clerk of the House

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

May 27, 1993

TO: Honorable Bob Bullock
Lieutenant Governor
Senate Chamber
Austin, Texas

Honorable Pete Laney
Speaker of the House
House of Representatives
Austin, Texas

IN RE: Conference Committee Report for
Senate Joint Resolution No. 13

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on the Conference Committee Report on Senate Joint Resolution No. 13 (proposing a constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The resolution proposes a constitutional amendment that would, if adopted by the voters in a November 2, 1993 election, add Texas State Technical College System (TSTC) campuses, but not its extension centers or programs, to the Higher Education Funds. TSTC would be limited to no more than 2.2 percent of the total annual appropriation.

No fiscal implication to the State or units of local government is anticipated other than the cost of publication.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board
LBB Staff: JO, JWH, EC, WRR, OC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

May 3, 1993

TO: Honorable Robert Junell, Chair
Committee on Appropriations
House of Representatives
Austin, Texas

IN RE: Senate Joint Resolution
No. 13, as engrossed
By: Lucio, et al.

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 13, as engrossed (proposing a constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The resolution proposes a constitutional amendment that would, if adopted by the voters in a November 2, 1993 election, add Texas State Technical College System campuses, but not its extension centers or programs, to the Higher Education Assistance Funds.

No fiscal implication to the State or units of local government is anticipated.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board
LBB Staff: JO, JWH, DF, WRR, OC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

April 2, 1993

TO: Honorable Bill Ratliff, Chair
Committee on Education
Senate Chamber
Austin, Texas

IN RE: Committee Substitute for
Senate Joint Resolution No. 13

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute Senate Joint Resolution No. 13 (proposing a constitutional amendment relating to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The resolution would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution proposes a constitutional amendment that would, if adopted by the voters in a November 2, 1993 election, add Texas State Technical College System and its Waco, Amarillo, Harlingen, and Sweetwater campuses, but not its extension centers or programs, to the Higher Education Assistance Funds. The resolution would increase the fund beginning September 1, 1995 to \$200 million per year, an increase of \$100 million per year over the current level, and would increase the number of institutions eligible to share in the fund.

Similar annual costs of \$100 million would continue as long as the amendment is part of the constitution.

No fiscal implication to units of local government is anticipated.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board;
LBB Staff: JO, JWH, EC, WRR, JOL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

March 19, 1993

TO: Honorable Bill Ratliff, Chair
Committee on Education
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution
No. 13
By: Lucio

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 13 (proposing a constitutional amendment to add the Texas State Technical College System to certain constitutionally dedicated funding for public institutions of higher education) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The resolution would propose a constitutional amendment to add the Texas State Technical College System (TSTC) to the list of institutions of higher education eligible to receive capital funding from the annual \$100 million per year constitutional appropriation to certain institutions of higher education beginning on September 1, 1995.

The constitutional amendment would be submitted to the voters at an election to be held on November 2, 1993.

Currently TSTC receives funding for its capital needs from the General Revenue Fund through a line-item appropriation.

The \$100 million per year allocation from the General Revenue Fund is distributed to eligible institutions based on a formula that considers relative needs. If the constitutional amendment is passed by the voters, the Legislature could appropriate the funds for TSTC's capital needs beginning in fiscal 1996 in lieu of additional general revenue.

The probable savings from implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Fiscal Year	Probable Savings to the General Revenue Fund
1994	0
1995	0
1996	\$1,600,000
1997	1,600,000
1998	1,600,000

Similar annual savings would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

The cost of publication of the resolution to the State is \$60,000.

Source: Texas Higher Education Coordinating Board, Comptroller of Public Accounts;
LBB Staff: JO, JWH, EC, WRR, JOL

J.R.
S.B. No. 13

President of the Senate

Speaker of the House

I hereby certify that ^{J.R.} S.B. No. 13 ^{was adopted by} ~~passed~~ the Senate on April 15, 1993, by the following vote: Yeas 30, Nays 0; May 25, 1993, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 1993, House granted request of the Senate; May 29, 1993, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that ^{J.R.} S.B. No. 13 ^{was adopted by} ~~passed~~ the House, with amendments, on May 21, 1993, by the following vote: Yeas 106, Nays 21; May 27, 1993, House granted request of the Senate for appointment of Conference Committee; May 29, 1993, House adopted Conference Committee Report by the following vote: Yeas 113, Nays 19, one present not voting.

, one present not voting

Chief Clerk of the House

Approved:

Date

Governor

BILL ANALYSIS

Senate Research Center

S.J.R. 13
By: Lucio
Education
3-22-93
As Filed

BACKGROUND

Currently, the Texas State Technical College is under the supervision of the Higher Education Coordinating Board and is considered an institution of higher education. However, Texas State Technical College is the only state higher education institution without a dedicated revenue source for its capital needs.

PURPOSE

As proposed, S.J.R. 13 adds the Texas State Technical College System to certain constitutionally dedicated funding for public institutions of higher education.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article VII, Section 17(b), Texas Constitution, by adding the Texas State Technical College System, including its campuses and extension centers, to the list of agencies and institutions of higher education eligible for funds appropriated under Subsection (a) of this section. Deletes the University System of South Texas System Administration from the list. Renumbers existing subdivisions.

SECTION 2. Adds the following temporary provision to the Texas Constitution:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by the 73rd Legislature, Regular Session, 1993, relating to adding the Texas State Technical College System to certain constitutionally dedicated funding of public institutions of higher education, and expires September 2, 1995.

(b) Provides that Section 1 of the constitutional amendment takes effect September 1, 1995.

SECTION 3. Requires this amendment to be submitted to the voters on November 2, 1993. Sets forth the language for the ballot.

BILL ANALYSIS

Senate Research Center

C.S.S.J.R. 13

By: Lucio

Education

4-5-93

Committee Substitute

BACKGROUND

The Higher Education Fund (HEF), which began in 1986, makes an annual appropriation of \$100 million for distribution to institutions of higher education that are not otherwise appropriated. Once every 5 years the legislature is authorized to adjust by two-thirds vote the amount of the appropriation for the following five years. Funding for the HEF has remained constant since its introduction. The unchanging allocation for the fund does not take into account increases in student population or inflation. Many institutions rely heavily on HEF money for their facilities repair and rehabilitation.

In addition, Texas State Technical College is the only state higher education institution not funded by the HEF or some other source of dedicated revenue source for its capital needs.

PURPOSE

As proposed, C.S.S.J.R. 13 requires the submission to the voters of a constitutional amendment to provide for the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article VII, Section 17(a), Texas Constitution, as follows:

(a) Appropriates \$200, rather than \$100, million out of the first money coming into the state treasury not otherwise appropriated to be used by eligible agencies and institutions of higher education for certain purposes including paying for buildings or facilities used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities, for each fiscal year beginning with the fiscal year that begins September 1, 1995. Authorizes the legislature during a regular session, for each five-year period that begins on September 1, 2000, and for each five-year period that begins after that period, to by two-thirds vote of membership of each house to increase the amount of the constitutional appropriations for the five-year period but may not adjust the appropriation in such a way as to impair any obligation created by the issuance of bonds or notes in accordance with this section.

SECTION 2. Amends Article VII, Section 17(b), Texas Constitution, by adding the Texas State Technical College System, including its campuses and extension centers, to the list of agencies and institutions of higher education eligible for funds appropriated under Subsection (a) of this section. Renames certain institutions of higher education that are eligible agencies to receive appropriated funds. Renumbers existing subsections.

SECTION 3. Amends Article VII, Sections 17(e), (f), and (g), Texas Constitution, as follows:

(e) Authorizes a governing board authorized to participate in the distribution of money under this section to issue bonds and notes for certain purposes including acquiring capital equipment, library books, and library materials. Deletes language authorizing the legislature to designate a single agency to issue bonds and notes authorized under this

section.

(f) Prohibits funds appropriated by this section from being used for the purpose of constructing, equipping, repairing, or rehabilitating buildings or other permanent improvements that are to be used only for student housing, intercollegiate athletics or auxiliary enterprises.

(g) Deletes language providing that the exception to this section is a portion of the allocated funds that may be required to be transferred to a single bonding agency.

SECTION 4. Adds the following temporary provision to the Texas Constitution:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by S.J.R. 13, 73rd Legislature, Regular Session, 1993, and expires September 2, 1995.

(b) Provides that Section 2 of the constitutional amendment takes effect September 1, 1995.

SECTION 5. Requires this amendment to be submitted to the voters on November 2, 1993. Sets forth the language for the ballot.

BILL ANALYSIS

Senate Research Center

S.J.R. 13
By: Lucio
Education
6-3-93
Enrolled

BACKGROUND

The Higher Education Fund (HEF), which began in 1986, makes an annual appropriation of \$100 million for distribution to institutions of higher education that are not otherwise appropriated. Once every 5 years the legislature is authorized to adjust by two-thirds vote the amount of the appropriation for the following five years. Funding for the HEF has remained constant since its introduction. The unchanging allocation for the fund does not take into account increases in student population or inflation. Many institutions rely heavily on HEF money for their facilities repair and rehabilitation.

In addition, Texas State Technical College is the only state higher education institution not funded by the HEF or some other source of dedicated revenue source for its capital needs.

PURPOSE

As enrolled, S.J.R. 13 requires the submission to the voters of a constitutional amendment to provide for the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article VII, Section 17(a), Texas Constitution, as follows:

(a) Provides that in each fiscal year, there is appropriated out of the first money coming into the state treasury not otherwise appropriated \$100 million to be used by eligible agencies and institutions of higher education for the purpose of acquiring land either and paying for acquiring, constructing, or equipping or for major repair or rehabilitation of buildings, facilities, other permanent improvements, or capital equipment used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities. Authorizes the legislature during a regular session, for each five-year period that begins on September 1, 2000, and for each five-year period that begins after that period, by two-thirds vote of membership of each house to increase the amount of the constitutional appropriations for the five-year period without adjusting the appropriation in such a way as to impair any obligation created by the issuance of bonds or notes in accordance with this section.

SECTION 2. Amends Article VII, Section 17(b), Texas Constitution, by adding the Texas State Technical College System, including its campuses and extension centers, to the list of agencies and institutions of higher education eligible for funds appropriated under Subsection (a) of this section. Renames certain institutions of higher education that are eligible agencies to receive appropriated funds. Renumbers existing subsections.

SECTION 3. Amends Article VII, Section 17, Texas Constitution, by adding Subsection (d-1), as follows:

(d-1) Prohibits the allocation of the annual appropriation to the Texas State Technical College System and its campuses from exceeding 2.2 percent of the total appropriation

each fiscal year, notwithstanding Subsection (d).

SECTION 4. Amends Article VII, Sections 17(e), (f), and (g), Texas Constitution, as follows:

(e) Authorizes a governing board authorized to participate in the distribution of money under this section to issue bonds and notes for certain purposes including acquiring capital equipment, library books, and library materials, paying for acquiring, constructing, or equipping or for major repair or rehabilitation of buildings, facilities, other permanent improvements, or capital equipment used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities. Deletes language authorizing the legislature to designate a single agency to issue bonds and notes authorized under this section.

(f) Prohibits funds appropriated by this section from being used for the purpose of constructing, equipping, repairing, or rehabilitating buildings or other permanent improvements that are to be used only for student housing, intercollegiate athletics or auxiliary enterprises.

(g) Deletes language providing that the exception to this section is a portion of the allocated funds that may be required to be transferred to a single bonding agency.

SECTION 5. Adds the following temporary provision to the Texas Constitution:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by S.J.R. 13, 73rd Legislature, Regular Session, 1993, and expires September 2, 1995.

(b) Provides that Section 2 of the constitutional amendment takes effect September 1, 1995.

SECTION 6. Requires this amendment to be submitted to the voters on November 2, 1993. Sets forth the language for the ballot.

S.J.R. No.

13

By

Lucio

SENATE JOINT RESOLUTION

proposing a constitutional amendment to add the Texas State Technical College System to certain constitutionally dedicated funding for public institutions of higher education.

2-9-93

Filed with the Secretary of the Senate

FEB 10 1993

Read and referred to Committee on EDUCATION

Reported favorably

4-1-93

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

APR 15 1993

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

____ years, ____ nays

APR 15 1993

Read second time, amended, and ordered engrossed by:

unanimous consent

a viva voce vote

____ years, ____ nays

APR 15 1993

Caption ordered amended to conform to the body of the bill.

APR 15 1993

Senate and Constitutional 3 Day Rule suspended by a vote of 30 yeas, 0 nays.

APR 15 1993

Read third time, _____, and passed by: 30 yeas, 0 nays

Betty King

SECRETARY OF THE SENATE

OTHER ACTION:

April 15, 1993

Engrossed

April 19, 1993

Sent to House

Engrossing Clerk

APR 19 1993

Received from the Senate

APR 20 1993

Read first time and referred to Committee on

MAY 11 1993

Reported favorably ~~amended~~, sent to Printer

MAY 12 1993

Printed and Distributed 11:36 pm

5-13-93

Sent to Committee on Calendars 2:48 pm

MAY 21 1993

Read Second time (amended) and finally adopted
~~failed adoption~~ by Record Vote of 106 yeas, 21 nays 1 present not voting.

Read third time (amended) and finally adopted
failed adoption by Record Vote of _____ yeas, _____ nays _____ present not voting.

MAY 21 1993

Caption ordered amended to conform to body of bill.

MAY 22 1993

Returned to Senate.

Betty Messing

CHIEF CLERK OF THE HOUSE

Returned from House without amendment.

MAY 22 1993

Returned from House with _____ amendments.

Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

MAY 25 1990

Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

MAY 25 1990

Senate conferees instructed.

Senate conferees appointed: Lucio, Chairman; Bivens, Ratliff, Sisley, and Moutford

House granted Senate request. House conferees appointed: Coyne, Chairman; Danbury, Duncan, Rudd, Swenson

Conference Committee Report read and filed with the Secretary of the Senate.

Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

MAY 29 1990

Conference Committee Report adopted on the part of the Senate by: _____

{ ~~a viva voce vote~~
31 yeas, 0 nays

OTHER ACTION:

Recommitted to Conference Committee

Conferees discharged.

Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays

53 MAY 12 PM 11:35
HOUSE OF REPRESENTATIVES